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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,008	12/20/2001	Jean-Marie Rennetaud	15818 US	1860

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EXAMINER

TRAN, KHOA H

ART UNIT PAPER NUMBER

3634

DATE MAILED: 10/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/034,008

Applicant(s)

RENNETAUD ET AL.

Examiner

Khoan Tran

Art Unit

3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1-12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 9.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Drawings

The drawings are objected to because reference characters "4" and "5" appear to designate to the same structure. See Figure 1. Further, reference numeral "9" is missing a lead line that connects to the part to which it refers. The drawings are objected to because they fail to show reference "10" and "10'" as described in the specification on page 5, line 21. Correction is required.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, a linear motor that attaches to both a rail support and a support piece, in claim 1, lines 12-13 and "a plate provided with recesses mounting magnets forming said magnetic way" in claim 9, must be shown or the features canceled from the claims. No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action.

Specification

The disclosure is objected to because of the following informalities:

DPS
On page 3, lines ³⁻⁴~~34~~, the statement that connector 9 has a C-profile is incorrect since bracket "8" referenced in Figure 1 is ^{shown}~~showing~~ as having a C-profile. Further, on page 3, line 29, it appears that "igus, inc." should be --Iigus, Inc.--. Further still, on page 3, lines 14-15, it's unclear as to what constitutes an "elongated primary". In other words, a "primary" what? Finally, on page 5, lines 21 and 22, "Iigus" and "IglidurJ" appear to be a typo. Appropriate correction is required.

DPS

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With respect to claims 1, 11, and 12, it is unclear what constitutes "a primary".

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson in view of Bonar. Anderson discloses a door suspension system comprising a rail support (32) attaches to a door frame (34) and located above a doorway opening, the rail support having a plate attaches to an elongated rail that has a substantially cylindrical body (28) and a web (30) attached therewith, the rail support attaches to the elongated rail by connectors (66 and 62) that has a substantially C-profile bushing (62) embracing the rail support, the elongated rail is mounted to a cylindrical shaped bearing (74) that positions in an opening of a support block (76), at least two brackets (38, 44) each having a connector of a support piece extending perpendicular to the bracket and connected to a rigid plate of the mounting block, the

bracket with the support piece is attached to a door (16) by a connector (78). The door system of Anderson is not driven by an electro magnetic. However, Bonar teaches a sliding door opens by an electro magnetic. Bonar teaches a support piece (31) having a connecting means (33) connecting to a door (32) and a groove on a support piece that supports an elongated magnetic way (69) and a primary (66, 67) of a linear motor thereon. See Figures 4 and 10. The elongated magnetic way of Bonar is spaced apart between a support piece and rigid plates (27, 28) of a support block (13). The rigid plates are attached to the support block by fasteners (19). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide between the support piece and rigid plate of Anderson with electro magnetic way and a primary of a linear motor thereof as taught by Bonar in order to have a sliding door that operates with no moving parts to reduce sound and to transfer a partial weight of the door upper part to a lower part of the door and sub-floor. With respect to claims 5 and 6, since there is no significant important to the invention of where the magnetic way or the primary is mounted to the rigid plate or the support piece, it would have been an obvious matter of choice of design at the time the invention was made to provide either the support piece or the rigid plate with either the magnetic way or the primary for the operation of the door thus producing no new and unexpected results. With respect to the materials of neodymium and ferrite of the earth elements that are available and well known in the art of magnet per se. Accordingly, it would have been obvious to one of ordinary skill in the art as a matter of engineering design choice to utilize the available earth elements of neodymium and ferrite elements to manufacturing permanent magnet

therefrom because it is well-within the level of skill in the art to utilize the known materials accordingly to the elements properties for its suitability of intended use, i.e., neodymium and ferrite are well known to have high conductive properties and they often use in forming a metal for a desire of conductive purpose.

The prior art made of record and not relied upon is considered pertinent to applicants' disclosure. Heffner et al., Belna, Metz et al., Pryor, ReKioja, Springer et al., Stephen, Moreuil, Favrel, Hayashida, Mercier, Olsen et al., Clark et al., Kabout, Penicaut, Shibuki et al., Yoshino, Piech et al., Gatland et al., Yamamoto et al., and Kowalczyk et al. are cited to show devices having similar configurations of design.

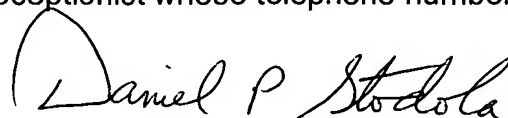
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khoa Tran whose telephone number is (703) 306-3437. The examiner can normally be reached on Monday through Thursday from 9:30 A.M. to 7:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola, can be reached on (703) 308-2686. The fax phone number for this Group before a final Office action is (703) 872-9326 and after a final Office action is (703) 872-9327.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2168.

Khoa Tran

September 17, 2003



DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600